

Withdraw Claim 21 from further examination without prejudice and without disclaimer, as being directed to a non-elected invention.

Replace the claim set with the following now pending claims, as shown below.

1. (Amended) An isolated FGF-CX nucleic acid molecule encoding a polypeptide comprising a sequence of SEQ ID NO:2, or the complement of said nucleic acid molecule.

2. The nucleic acid molecule of claim 1, wherein said nucleotide sequence encodes a polypeptide of SEQ ID NO:2, or the complement of said nucleic acid molecule.

4. The isolated nucleic acid molecule of claim 1, said molecule hybridizing under stringent conditions to a nucleic acid sequence complementary to a nucleic acid molecule comprising the sequence of nucleotides of SEQ ID NO:1, or the complement of said nucleic acid molecule.

5. (Amended) The isolated nucleic acid molecule of claim 1, said molecule encoding the amino acid sequence of SEQ ID NO:2, said amino acid sequence further comprising one or more conservative amino acid substitutions, wherein said substitutions do not alter the functional ability of the FGF-CX protein.

7. A nucleic acid vector comprising the nucleic acid molecule of claim 1.

8. The nucleic acid vector of claim 7, wherein said vector is an expression vector.

9. The vector of claim 7, further comprising a regulatory element operably linked to said nucleic acid molecule.

10. A host cell comprising the isolated nucleic acid molecule of claim 1.

14. (Twice Amended) A method of producing an isolated FGF-CX polypeptide of SEQ ID NO:2, said method comprising the step of culturing the host cell of claim 10 under conditions in which the nucleic acid molecule is expressed.

19. (Twice Amended) A pharmaceutical composition comprising the nucleic acid of claim 1, and a pharmaceutically acceptable carrier.

20. (Amended) A kit comprising in one or more containers, the composition of claim 19.

28. (Amended) An isolated nucleic acid molecule comprising a nucleic acid of SEQ ID NO: 1, wherein the nucleic acid hybridizes to a nucleic acid molecule of SEQ ID NO: 1 under stringent conditions.

29. (Amended) The nucleic acid of claim 28 encoding the polypeptide of SEQ ID NO: 2 having an activity selected from the group consisting of:

- a fibroblast growth factor-like activity;
- a cell proliferative activity;
- a glia activating activity; and
- a neuroprotective-like activity.

Pursuant to 37 CFR 1.121(c), a marked up version of the claims showing the changes made appears as Appendix B of this Amendment.

REMARKS

Upon entry of this amendment, claims 1-2, 4-5, 7-10, 14, 19-20, and 28-29 are pending in the instant application. Claims 3 and 6 are cancelled without disclaimer of the subject matter, which may be pursued in a later application. Claim 21 has been withdrawn from further examination, as it is directed to a non-elected invention.

Amendments to claims 1, 14, 19-20, 28 and 29 were made to more particularly point out the claimed subject matter, and to correct antecedent bases. Support for amendments to claim 5